

SENATE BILL NO. 186

INTRODUCED BY J. BALYEAT

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT A PERSON MAY VOLUNTARILY DESIGNATE AN AFFILIATION WITH A POLITICAL PARTY WHEN REGISTERING TO VOTE; REQUIRING THAT IF A POLITICAL PARTY DESIGNATES A PARTY CAUCUS AS THE METHOD OF SELECTION OF DELEGATES TO THE NATIONAL PRESIDENTIAL NOMINATING CONVENTION, EACH REGISTERED VOTER WHO VOLUNTARILY DESIGNATED THE VOTER'S AFFILIATION WITH THE PARTY WHEN REGISTERING TO VOTE MUST BE ALLOWED TO PARTICIPATE IN THE CAUCUS; AND AMENDING SECTIONS 13-2-110, 13-2-123, AND 13-10-407, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 13-2-110, MCA, is amended to read:

"13-2-110. Application for voter registration -- sufficiency and verification of information -- identifiers assigned for voting purposes. (1) An individual may apply for voter registration in person or by mail by completing and signing an application for voter registration and providing the application to the election administrator in the county in which the elector resides.

(2) An individual applying by mail shall send the application to the election administrator, postage paid, no later than 15 days after the date it is signed.

(3) Each application for voter registration must be accepted and processed as provided in rules adopted under 13-2-109.

(4) (a) Except as provided in subsection (5):

~~(a)~~(i) an applicant for voter registration shall provide the applicant's driver's license number; or

~~(b)~~(ii) if the applicant does not have a driver's license, the applicant shall provide the last four digits of the applicant's social security number.

(b) An applicant for voter registration may designate the applicant's affiliation with a political party that has filed its rules of government with the secretary of state pursuant to 13-38-104.

(5) If an applicant does not have a driver's license or social security number:

(a) an applicant appearing in person before the election administrator shall provide:

(i) current and valid photo identification, including but not limited to a school district or postsecondary education photo identification or a tribal photo identification, with the individual's name; or

(ii) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.

(b) an applicant applying by mail to register shall also enclose a copy of:

(i) a current and valid photo identification, including but not limited to a school district or postsecondary education photo identification or a tribal photo identification, with the individual's name; or

(ii) a current utility bill, bank statement, paycheck, government check, or other government document that shows the individual's name and current address.

(6) (a) If information provided on an application for voter registration is sufficient to be accepted and processed and is verified pursuant to rules adopted under 13-2-109, the election administrator shall register the elector as a legally registered elector.

(b) If information provided on an application for voter registration was sufficient to be accepted but the applicant failed to provide the information required in subsection (4)(a) or (5) or if the information provided was incorrect or insufficient to verify the individual's eligibility to vote, the election administrator shall register the applicant as a provisionally registered elector.

(7) Each applicant for voter registration must be notified of the elector's registration status pursuant to rules adopted under 13-2-109.

(8) The secretary of state shall assign to each elector whose application was accepted a unique identification number for voting purposes and shall establish a statewide uniform method to allow the secretary of state and local election officials to distinguish legally registered electors from provisionally registered electors.

(9) The provisions of this section may not be interpreted to conflict with voter registration accomplished under 13-2-221, 13-21-201, 13-21-203, and 61-5-107 and as provided for in federal law."

Section 2. Section 13-2-123, MCA, is amended to read:

"13-2-123. Election administrator to provide list of electors to secretary of state. (1) The election administrator in each county shall provide to the secretary of state the following information, when possible, for each elector:

(a) name;

(b) mailing address;

1 (c) precinct number;
2 (d) residence address;
3 (e) telephone number;
4 (f) driver's license number or last four digits of the elector's social security number;
5 (g) date of birth;
6 (h) gender;
7 (i) legislative house district;
8 (j) date of registration;
9 (k) whether the elector's name is on the active or inactive list of electors; ~~and~~
10 (l) whether the elector is a legally registered elector or a provisionally registered elector; and
11 (m) political party affiliation if the elector has designated affiliation with a political party pursuant to
12 13-2-110(4)(b).

13 (2) The information must be provided in accordance with rules adopted under 13-2-108."
14

15 **Section 3.** Section 13-10-407, MCA, is amended to read:

16 **"13-10-407. Delegates to national presidential nominating conventions -- eligibility to participate**

17 **in caucus.** (1) (a) The method of selection of delegates to national presidential nominating conventions is to be
18 set by party rules.

19 (b) If the rules of a party designate a party caucus as the method of selection of delegates to the national
20 presidential nominating convention, each registered voter who designated the voter's affiliation with the party as
21 provided for in 13-2-110(4)(b) is eligible and must be allowed to participate in the caucus according to the party's
22 rules.

23 (2) The use of the results of the presidential preference primary election by the political parties in their
24 delegation selection systems is discretionary and is to be determined by party rules."

25 - END -